

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA, for the use
and benefit of WALLBOARD, INC.,

CIVIL NO. 06-2352 (RHK/AJB)

Plaintiff,

vs.

ORDER

MERRIMAC CONSTRUCTION COMPANY,
INC., a Minnesota corporation, STUCCO 1,
INC. OF MINNESOTA, a Minnesota
corporation, and TRAVELERS CASUALTY
AND SURETY COMPANY OF AMERICA,
a foreign corporation (BOND NO. 104298991),

Defendants.

Based upon the Notice of Dismissal of Claims with Prejudice dated August 22, 2006,
submitted by Plaintiff Wallboard, Inc., the only appearing party in the action, the Court finds that
there is no just reason for delaying entry of judgment herein.

IT IS HEREBY ORDERED that the above-entitled action is **DISMISSED WITH
PREJUDICE** and without costs, disbursements or attorneys fees to any party.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 8/23/06

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge